

Hon. James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

ELIZABETH NAIKER,

Defendant.

No. CR 05 – 303 JLR

ORDER GRANTING DEFENDANT'S
SECOND MOTION TO CONTINUE
PRETRIAL MOTIONS DEADLINE &
TRIAL DATE

The Court, having reviewed Defendant's Second Motion to Continue Pretrial Motions Deadline and Trial Date, and the government's response to the motion, finds that, pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and (B)(iv), the ends of justice served by granting the requested continuance outweigh the best interest of the public and defendant in a speedy trial, for the reasons outlined in defendant's motion. Specifically, it appears to the Court that the failure to grant a trial continuance would effectively deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

1 IT IS THEREFORE ORDERED that the trial date of Tuesday, December 13, 2005 is
2 continued to Tuesday, February 14, 2006, and the motions deadline is extended to January 9,
3 2006, subject to defendant filing a Waiver of Speedy Trial.

4 IT IS FURTHER ORDERED that the period of delay from Tuesday, December 13, 2005
5 until Tuesday, February 14, 2006 is excludable time pursuant to Title 18, United States Code,
6 Section 3161(h)(8)(A), for the purpose of computing the time limitations imposed by the Speedy
7 Trial Act, Title 18 United States Code, Sections 3161 through 3174.

8 ORDERED this 21st day of November, 2005.

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10 s/James L. Robart

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12 Hon. James L. Robart
13 U.S. District Court Judge
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18 Certificate of Service

19 I certify, under penalty of perjury under the laws of the State of Washington, that today I
20 electronically filed this pleading and all attachments with the Clerk of Court using the CM/ECF
21 system, which will send electronic notification of the filing to the attorneys of record for each of the
22 parties.

23 Signed on November 16, 2005 in Seattle, Washington.

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26 Stephan R. Illa